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Spacio-cide: colonial politics, invisibility and rezoning in Palestinian territory

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In the last two decades, the Arab–Israeli conflict has been considered a ‘low intensity’ conflict, based on a typology which simply takes into account the number of casualties. This typology is misleading, since despite relatively low numbers of casualties, on other counts the conflict may be seen to be in the process of intensification. In particular, a key area that has been gaining relevance is related to space and land: dispossession, occupation and destruction of Palestinian living space and what the author calls spacio-cide. In this paper, it is argued that the Israeli colonial project is ‘spacio-cidal’ (as opposed to genocidal), in that it targets land for the purpose of rendering inevitable the ‘voluntary’ transfer of the Palestinian population, primarily by targeting the space upon which the Palestinian people live. This systematic destruction of the Palestinian living space becomes possible by exercising the state of exception and deploying bio-politics to categorize Palestinians into different groups, with the aim of rendering them powerless. The paper will demonstrate that spacio-cide policy is the potentiality of a structure of juridical-political delocalization and dislocation aimed at transferring the Palestinian population whether internally or outside of fluid state borders. This policy involves a combination of three strategies.

Keywords: Spacio-cide; Palestinian-Israeli conflict; state of exception; bio-politics; models of colonialism

Biologists have prepared ‘red books’ of extinct or endangered species; ecologists have their ‘green books’ of threatened habitats. Perhaps we need our ‘black book’ of the places destroyed or nearly destroyed by human agencies. Actually it would take many books and street maps packed with remembrances to record the settlements, neighborhoods, and buildings in those places destroyed in recent wars (Hewitt 1987, p. 275).

In the last two decades, the Arab–Israeli conflict has been considered a ‘low intensity’ conflict, based on a typology which simply takes into account the number of casualties. This typology is misleading, since despite relatively low numbers of casualties, on other counts the conflict may be seen to be in the process of intensification. In particular, a key area that has been gaining relevance is related to space and land: dispossession, occupation and destruction of Palestinian living space and what I call spacio-cide.

Since the inception of the Zionist myth of *a land without people for a people without land*, the policy of successive Israeli governments has been to appropriate land while ignoring the people on it. The founding myth has been perpetuated, and, in its more modern form, can be seen in the policy of acquiring *the most land with the least people* (where ‘people’, of course, refers to the Palestinians). The resulting

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Figure 1. Two views of the wall of Gilo Settlement in front of Beir Jala: the painters draw on the wall (right) the same landscape of Beir Jala seen from Gilo but without figuring the Palestinians. To make the paintings more vivid, cats and dogs were added. (Photos by the author.)

institutionalized invisibility of the Palestinian people both feeds and is fed by Israel's everyday settler-colonial practices. For example, parts of the Israeli West Bank wall are being constructed specifically to remove the *visual* presence of Palestinian villages such as the wall along the sides of Route 443 where there is no security function or those of Gilo Settlement in front of Beir Jala (Figure 1).

Moreover, this enforced invisibility sustains an Israeli system neither interested in killing nor in assimilating the Palestinians. Asking the Palestinians of Israel to be loyal to the State has never brought with it the promise of equal citizenship; while the Israeli narrative sees Jerusalem as its 'eternal unified capital', it does not attempt to assimilate the quarter of a million Palestinians of the city.

In this paper the author argues that the Israeli colonial project is 'spacio-cidal' (as opposed to genocidal) in that it targets land for the purpose of rendering inevitable the 'voluntary' transfer of the Palestinian population, primarily by targeting the space upon which the Palestinian people live.² This systematic destruction of the Palestinian living space becomes possible by exercising the state of exception and deploying bio-politics to categorize Palestinians into different groups, with the aim of rendering them powerless.

Spacio-cide policy is *the potentiality of a structure of juridical-political de-localization and dislocation aimed at transferring the Palestinian population whether internally or outside of fluid state borders*. This policy involves a combination of three strategies.

First, it involves 'space annihilation', to paraphrase Kenneth Hewitt (1983), similar to that witnessed in Europe during World War II (e.g., the destruction of Dresden, Hiroshima, and Coutances, a small town in Normandy in France), although significantly different in the case of Israeli practices where this is a major and not minor tactic.

The second strategy is that of ethnic cleansing, to use the words of Nur Masalha (1992) and Ilan Pappé (2006) who both demonstrated how ethnic cleansing was not a circumstance of war, but rather a purported goal of combat for early Israeli military units directed by Prime Minister/Defence Minister David Ben-Gurion, whom Pappé labels the 'architect of ethnic cleansing'. The forced expulsion of 800,000 Palestinians

from 1948–49, Pappé argues, was part of a long-standing Zionist plan to manufacture an ethnically pure Jewish state. However, this has occurred in subtle ways in the case of the Occupied Territories:

Israeli domination in the Palestinian Territories means the reduction of lives to ‘bare life’ without eliminating too many people, the destruction of habitable space without expelling too many people from that space, the production of impoverishment without starvation, and the denial of access to medical treatment without allowing the outbreak of epidemics. Israeli authorities are very careful not to obstruct this delicate balance (Ophir 2004).

The third strategy, deployed in the face of resistance to space annihilation and ethnic cleansing, consists of what Oren Yiftachel calls ‘creeping apartheid’. Creeping apartheid utilizes increasingly impregnable ethnic, geographic, and economic barriers between groups vying for recognition, power, and resources (Yiftachel 2006).

By examining the political-theological underpinnings of colonial rule, the purpose of this article is threefold. First it describes and conceptualizes the spacio-cide as a framework for understanding the dynamics of Israeli territorial control over Palestinian territory and what Ronen Shamir (forthcoming) calls the decoupling of population and territory, which is ongoing and ceaselessly operates at both the collective and individual levels, targeting places where people live. Second, the paper shows that the process of spacio-cide has become possible because of the extensive employment of surveillance, *bio-politics* and the *state of exception* as we explain later on. Third, the paper demonstrates that spacio-cide has operated in a complex context in which Palestinians have responded to colonial practices through acts of both non-violent and violent resistance (e.g., targeting the Israeli military apparatus but also terrorist acts targeting Israeli civilians). This is why one should not conceive of the spacio-cide as a conscious plan definitively laid out in advance and but as a result of a dynamic process in which the successive Israeli governments and Palestinian resistance are in a state of interaction.

There are two limits in the argumentation of this article. First, this article is not intended to bring about ‘balanced’ descriptive accounts of the Israeli and Palestinian violence but to show that Israeli colonial practices precipitated resistance and violence as a reaction. Instead of allocating self-determination to the Palestinian people according to the international laws, Israel has engaged in increasing colonial practices through more policies of spacio-cide. Second, this research does not have as its objective the questioning of why pre-1948 forced migrants among the survivors of the Holocaust and economic migrants emigrated to Palestine, nor the questioning of to what extent this was reflective of a colonial capitalist logic behind Zionism or a genuinely religious project of nation-state formation. I am interested here to show that no matter the *raison d’être* of the presence of a Jewish population in Palestine since 1948, the state of Israel has exercised colonial practices using bio-politics and the state of exception.

1. The spacio-cide of Palestine

Compared to other colonial and ethnic conflicts (Rwanda-Burundi, Serbia-Bosnia, etc.), the 1948–49 war did not, relatively speaking, produce many casualties. The notion of *al-Nakba* (the Catastrophe) is based on the loss of land and status as

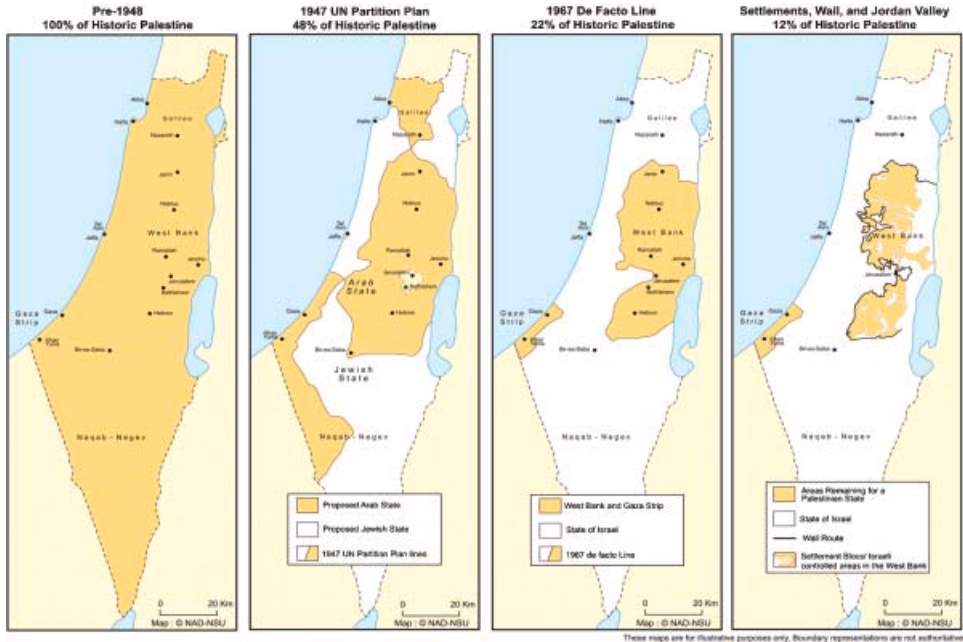


Figure 2. Map showing the shrinking physical territory of historic Palestine. (Courtesy of Palestinian Liberation Organization Negotiations Affairs Department. Available from: <http://www.nadplo.org/maps/borders/jpeg/two%20state%20solution%20map.jpg>)

refugees, rather than the loss of life. Even after six years of Intifāḍah, the number of victims is relatively low.³ During 60 years 89,000 died (72,000 Arabs and 17,000 Israelis) compared to the six weeks of madness in Rwanda in which some 800,000 people were killed or to four years of Bosnian–Serbian fighting (100,000–200,000 killed). The Israeli settler-colonial project is not a genocidal project but a ‘spacio-cidal’ one (Figure 2).

In every conflict, belligerents define their enemy and shape their mode of action accordingly. In the Palestinian–Israeli conflict, the Israeli target is the *place*.⁴ Spacio-cide does not entail therefore an instance of the ‘postmortem city’ as Chris Hables Gray described an aerial ‘damage assessment’ map of Tokyo after the US firebombing devastated the city in March 1945, resulting the killing over 130,000 civilians in the span of a few hours (Graham, 2004b). It is, rather, a spectacle of destruction without or with little death. Different reports produced by the Jerusalem Emergency Committee, a working group set up by Jerusalem-based non-governmental organizations (NGOs) after the April 2002 Israeli invasion of the West Bank, showed systematic destruction of public places: all but two Palestinian ministries and 65 NGOs were totally or partially destroyed. Destruction was not a side effect of the war but the primary leverage of political pressure. What was striking about this wanton destruction was the vandalism. To seize documents and computer hard drives from the Ministry of Education can be ‘understood’ within the framework of a military hunt for information that would prove that the Palestinian public educational system ‘produced incitement and engendered suicide bombers’, but why

did soldiers (who are armed with a culturalist and Orientalist vision) also have to smash computer screens and tear apart furniture? (See Hammami *et al.* 2002; Hanafi 2002).

During the war years in the former Yugoslavia, architect and former mayor of Belgrade, Bogdan Bogdanovich was one of the first to coin the term ‘urbicide’ to describe the destruction of cities in the Balkans. Serbian nationalism romanticized rural villages where a single community spirit predominated. The city, in this context was a symbol of communal and cultural multiplicity, the antithesis of the Serbian ideal. In the Palestinian occupied territories, the entire landscape has been targeted. The weapons of mass destruction are not so much tanks as they are bulldozers, which have destroyed streets, houses, cars, and grove after grove of olive trees (Figure 3).

It is a war in an age of literal agoraphobia – the fear of space as articulated by Christian Salmon (2002) – seeking not the division of territory but its abolition. A trail of devastation stretches as far as the eye can see: a jumble of demolished buildings, levelled hillsides and flattened wild and cultivated vegetation. This concentrated damage has been wrought not only by the bombs and tanks of traditional warfare, but by industrious, vigorous destruction that has toppled properties like a violent tax assessor (Salmon, 2002). So far, these policies have climaxed with the destruction of a third of the Jenin Refugee Camp.⁵

However, I do agree with Nurhan Abu Jidi (2007) and Stephane Graham (2004a) about the importance of the urbicide in the Israeli war, as it entails not only the destruction of the building environment but also the memory of the population. The authors have set out the various linkages between place identity, urbanity and war – a war in which technology is specifically developed in order to destroy cities.⁶

The Israeli project during this Intifāḍah has as its objective a kind of ‘demographic transfer’ or what one Israeli minister has called a ‘voluntary transfer’ of the Palestinian population by transforming the Palestinian *topos* to *atopia*, by turning *territory* into mere *land*. It is by the means of spacio-cide that Israel is preparing such a population transfer, and already, since the beginning of the Intifāḍah, around 100,000 Palestinians have left the country, accounting for some 3.3 percent of the Palestinian population in West Bank and Gaza (Hanafi, 2005).

People have been forced to migrate internally as well. In Hebron, for instance, some 5,000 people (850 families) have left the Old City for neighboring villages



Figure 3. Israeli monument in a kibbutz near Jerusalem: two uprooted olive trees as a piece of art. (Photo by the author.)

because of Jewish settler-vigilantism harassment and violence and Israeli Army-imposed curfews. House demolitions are another tactic used to induce this transfer. From the beginning of the current Intifāḍah in September 2000 until September 30, 2005, 73,567 housing units were damaged and 7,633 were destroyed completely in the West Bank and Gaza,⁷ and the numbers only continue to rise. This destruction has taken place mainly in Rafah, Jenin, Nablus, Hebron and Jerusalem, and many of the refugees of these demolitions are already refugees from 1948 or 1967.

Transfer is also brought about with the ‘denaturalization’ of some 200,000 Palestinians who have found themselves trapped between Israel’s West Bank barriers and are now neither in Palestinian nor Israeli space, but are rather *de facto* stateless and space-less. This ‘spacio-cide’ has been rendered possible by the Israeli division of the Palestinian territory into zones A, B, B–, B+, C, H1 and H2. (In West Bank, Zone A includes the major populated cities but constitutes no more than three percent of those areas; Zone B encompasses 450 Palestinian towns and villages representing 27 percent of the West Bank; and Zone C constitutes the rest of the West Bank, including agricultural land, the Jordan Valley, natural reserves, areas with lower population density, Israeli settlements and military areas (see United Nations Conference on Trade and Development website: <http://r0.unctad.org/palestine/economy1.htm>).

Hebron is split into two security zones H1 and H2. Palestinian police will control a small area H1, while Israel will remain in control of a large area H2, where Jewish settlements, al-Ḥaram, al-Ibrāhīm, and many historic sites are located. B– and B+ are security areas established on an *ad hoc* basis.

These areas are fragmented by the bypass routes system,⁸ dividing West Bank into 64 small cantons (Arij 2005). In such a scheme, Palestinian national infrastructure development became almost impossible, due to the fragmentation of space, but also to the fragmentation of the Palestinian political system. The Palestinian National Authority (PNA) cannot, for example, implement water reservoir projects for a set of villages if the pipeline passes through zone C. Paving of the new road between Bethlehem and Hebron was halted in 1999 because Israel did not grant authorization to pass through zone C. There has been urban development in zones A and B, but these are always surrounded by Israeli zones, curtailing possibilities for industrial or residential urban expansion. Furthermore, either unwilling or unable to pressure Israel, the international community’s various agencies have been reluctant to negotiate with the Israeli authority concerning funding projects in Jerusalem or Palestinian localities in zone C (Hanafi and Taber 2004).

Justifying the spacio-cide

As Coward argues about urbicide, the lexical kinship with *genocide* implies that ‘spacio-cide’ could, by association, draw on certain assumptions underpinning the former category (Coward 2007). Thus, use of the term ‘spacio-cide’ emphasizes both the magnitude of the wreckage and destruction, and the deliberate exterminatory logic employed against space livability that has underpinned the assault on the space, whether it is build/urban area, landscape or land property. Any reading of the Palestinian–Israeli conflict using genocide as a measure of the extent of the colonial violence will be incapable of understanding the dynamic of this conflict.

The spacio-cide is a deliberate ideology, albeit with dynamic process, and practices of widespread destruction produced by four actors: the military forces, settlers' land grabbing, urban planners and capitalist real-estate speculators. While these actors may seem to be distinct actors, they are often working closely to bring the spacio-cidal strategies into realization.

The example of Jaffa City is a striking example in this regard. In 1948, the Israeli political-military authorities emptied the majority of the population from the city by expulsion of most of its population and then expropriating them using the Law of Absentees' Property. In the 1980s, the State sought to develop southern Tel Aviv at the expense of Jaffa. The targeted area was the strategic, coastal al-Ajami quarter. Contrary to the liberalism where the state had just been an arbitrator between the different market actors, in the scheme of neo-liberalism, the state is involved in the market by establishing alliances with certain capitalists. In the case of Jaffa, this alliance was very obvious in its impeding the Arab population in the reconstruction and refurbishing of this quarter. The Jewish population was afraid to live there, cohabitating with the Palestinian population. As a beginning to the gentrification process, the State intervened by allowing the construction of a highly securitized and gated community in the heart of al-Ajami. The real estate capitalists refused to let a Palestinian buy or rent there.

This was the opening segue for other capitalist speculators, with the help of the State, to buy more land and to effect the 'Judaization' of the area. Somehow, since the 1980s, all that occurs without 'violence' and without property confiscation but simply by force of the neoliberal system itself. This article will focus only on the first three agents in this process of spacio-cide and not deal with the fourth – the capitalist real-estate speculators – as these are less significant within the Palestinian territory. Indeed, while spacio-cide is a good term to describe the entire Israeli project from 1948 until today, one should acknowledge that its techniques are different through time and the salient stage is after 1967 when it becomes the main colonial practice in Palestinian territory. While the potentiality of the spacio-cide as practice is always present, in certain moments after 1967, it has become more thinkable, more conscious, and therefore more feasible and more extreme than in the past.

In this territory, the spacio-cide has been applied independently of the peace process to increase the settlement of the Jewish population. Even after the signing of the 1993 Oslo accords, the number of settlers increased threefold from 120,400 to 438,088⁹ and the area of the settlements doubled, constituting 129 settlements.¹⁰ Even after the Israeli withdrawal from the Gaza Strip and its evacuation of 8,500 settlers from it and the northern part of the West Bank, Tel Aviv embarked on plans to make room for 30,000 new settlers in 2005 alone, primarily in and around occupied East Jerusalem.¹¹

The Zionist project failed to acquire land especially during the British Mandate in spite of that fact that the British administration had partially helped them. It is very important to note that despite this strategy, the Zionist movement had obtained up until 1947 only 7% of the total land of Palestine. Two reasons can serve to explain this: Arab awareness of the Zionist project; and cost, which had become expensive (around \$ 1,100 per acre). In contrast, British colonialism was acquiring considerable tracts of land, whether by confiscation or by purchasing it from indigenous people, usually for little money. The Zionist project was, thus, a project of controlling and creating urban space, like that of French colonialism.

2. Colonial bio-power and state of exception

How did spacio-cide become possible in the Palestinian territory? I argue that this was possible because of the use of new forms of sovereignty. These new repertoires can be apprehended in a colonial governance where subjects are transformed by the bio-politics and the extensive use of the state of exception to what Agamben called 'bare life'. I will start by defining theoretically these terms before discussing them in the context of the Israeli colonial project.

For the concept of bio-politics, while classical political theory considers notions such as sovereignty, contract, right and duty as the foundation of any possible reflection of the idea of government, Michel Foucault (1926–84) shakes these foundations with the notion of disciplines and controls. Unlike the juridical power of sovereigns, these were concerned with the practice of power on the individual and his body (the techniques of government). He contested the traditional approaches to the problem of power, which had been exclusively based on juridical models ('what legitimizes power?') or institutional models ('what is the state?'). He stressed the transition from the 'territorial state' to a 'state of its population' and the resultant increase in importance of the nation's health and biological life as a problem of sovereign power (Foucault 1994).

Drawing on that, one cannot apprehend Israeli politics vis-à-vis the Palestinians by referring to the legal system in Israel, highlighting its democratic political regime, but only by examining the practices of the military bureaucracy in using the most sophisticated anthropological tools to divide Palestinians into categories¹² in order to manage them. Some surveys and many studies have been undertaken by Israel to provide demographic information on the Palestinian population for purposes of surveillance and disciplinary power. However, spacio-cide connotes a peculiar kind of bio-politics, not one that is concerned with maximizing the health and wealth of the population, but quite the opposite, and one intended to establish a delicate balance in which the health and wealth of the population, and especially the physical terrain on which it exists, are minimized, without effecting a total elimination.

Bio-politics is concerned with population as a political and scientific problem, as a biological issue of the exercise of the government. But the bio-power does not act in the individual *a posteriori*, as a subject of discipline in the diverse forms of rehabilitation and institutionalization. Rather, it acts on the population in a *preventive* fashion. From a consideration that insurgency/criminality should be prevented, that population should be kept under surveillance and some of them may be punished for preventive reasons. It is a state of 'executive power' or policing, monitoring, or recording that constitutes the excess which is the reality of the norm. The Palestinian population thus becomes a purely objective matter to be administered, rather than potential subjects of historical or social action. This does not mean that subject cannot emerge and resist this sovereignty, but that sovereignty attempts to reduce the subjective trajectories of individuals to bodies (Pandolfi 2002).

The sovereign power according to Agamben routinely distinguishes between those who are to be admitted to 'political life' and those who are to be excluded as the mute bearers of 'bare life'. It is a process of categorizing people and bodies in order to manage, control and keep them under surveillance and reducing them to a 'bare life', life which refers to the body's mere 'vegetative' being, separated from the particular qualities, the social, political and historical attributes that constitute

individual subjectivity. This is a new form of power which enables the colonial power to manage bodies according to colonial and humanitarian categories.

'Bare life' is the condition when people do not have a right to defend their rights as a minority or the right to have right, to borrow from Hannah Arendt (1985): refugees spending several years in refugee camps without having any knowledge about their future destiny. For the Palestinian refugee camp dwellers, the humanitarian organizations also fall into the trap and the sovereign (UN Relief Works Agency, Israeli and host authorities) has disqualified the life of this population from political meaning: Why are they there? Why are they not able to return? It is a new form of a conception of humanity stripped of its political meaning.

Developing both the concept of bio-power and bare-life, Giorgio Agamben shows how sovereignty carries with it a 'power over life' by the rule of the exception, being both above the law – as its constituting force – but also safeguarding its application. The sovereign, according to philosopher Carl Schmitt (1888–1985), is the one who may proclaim the state of exception. He is not characterized by the order that he institutes through the constitution but by the suspension of this order:

It is not the exception that gets subtracted from the rule, but the rule that, suspending itself, gives rise to the exception and only in this way can constitute itself as rule, by constantly maintaining a relation to it. (...) The situation that is created by exception can neither be defined as a factual situation, nor as a situation of right, but institutes between the two a paradoxical threshold of indifference (Agamben 1998, p. 26).

If such is the state of exception so arbitrarily established by law and order, what are the repertoires of the state of exception deployed as power mechanisms in the colonial setting? There are six.

The first repertoire, the most obvious and classic, is the *state of emergency*. In Israel, Jews and Palestinians are governed by administrative rules deriving their force from the 'state of emergency' invoked at the formation of the state which were never cancelled. Between 1948 and 1965, the entire area where the Arabs lived had been considered as a military zone at the discretion of the military commanders. The same situation has persisted in the West Bank and Gaza Strip since 1967 until Oslo and up to now for Zone C. This technique of governance is common to our region, for example, in other nations such as Syria, Egypt and Jordan where an emergency law has been mandated and used almost constantly since the beginning of 1960s.

The second repertoire is exercised when the sovereign does not only suspend rules and laws but also constantly *creates new categories* to exempt the government from some obligations and duties and/or to subtract undesirable categories from some rights. This state of exception is proclaimed domestically but also at an international level where the norms of international law are tacitly abrogated one after the other.

Israeli colonial forces are constantly creating different categories of the Palestinian population in order to control them. Since 1990, such colonized, indistinct, displaced, localized and mere figure bodies have come to be classified and defined as: refugees, stateless, residents of zones A, B, B–, B+, C, H1 or H2 (Oslo categories), inhabitants of areas in front of Israel's West Bank Wall, behind it, potential terrorists (categories post-9/11), etc. Thus, while populations are assigned different statuses as legal subjects, individual lives are suspended in an ontological no-man's land.

The objective of this classification is primarily to exclude and make possible the spacio-cidal project. This is usually done in a very subtle way – by applying the state of exception to one zone while keeping the remaining territory under a kind of rule of law. Once the confiscation and the spacio-cide process are satisfactory, or if the Palestinian resistance becomes efficient, this zone returns to the rule of law and another zone then becomes subject to the state of exception. In that way, Israel keeps a façade of a democratic country under rule of law.

The third repertoire of state of exception occurs when issued law carries along with it *the rule of suspension of this law without specifying a context*. The suspension of the norm does not mean its abolition, and the zone of anomie that it establishes is not (or at least is purportedly not) unrelated to the juridical order. Using such a power technique, Israel is able to restrict Palestinian residential construction in East Jerusalem and then ‘legally’ destroy houses built without a permit. For the remaining area of the West Bank, Palestinian residential construction has been also constrained. Military order 418, ‘Order for the Planning of Towns, Villages and Buildings (Judea and Samaria)’, outlines the requirements for obtaining building permits. Article 7, called ‘Special Powers’, grants the High Planning Council the power to:

amend, cancel or suspend for a specified period the validity of any plan or permit; to assume the powers allocated to any of the committees mentioned in article 2 and 5; to grant any permit which any of the committees mentioned in article 2 and 5 are empowered to grant [...]; to dispense with the need for any permit which the Law may require (Coon 1992, p. 280).

My fieldwork conducted in 2005 in the West Bank¹³ showed an extensive use of Article 7 before the Oslo process, prohibiting those who are politically active or even those who are not ‘cooperative’ with the occupation power from acquiring a construction permit or allowing those who want to construct in a non-construction area the exception to build without even passing through the high commission of construction, against some ‘services’. In other words, the sovereign power can use these exceptions to annul its own regulations, in such a way that *the construction permit becomes a tool for control and surveillance*.

The fourth repertoire of state of exception concerns the *selectivity that the sovereign employs between laws and regulations coming from different historical periods*. While Ottoman laws have been used for land acquisition and confiscation, British Mandate orders have been also brought into play when they are against the interest of the owner as opposed to the state. Some Jordanian and Egyptian laws have also been retained in use when it is convenient for the military governors. The use of a complex set of different laws which were promulgated by different political regimes has rendered the Palestinian individual completely hopeless when confronting the selective use of the laws, making the acquisition of a construction permit possible by certain ways and impossible by others. For example, the military order of 20 May 2004 signed by Ya’ier Blumintel, Chief of the Infrastructure Division of the Israeli Military Administration in the West Bank, suggested many justifications in the text of the order of ‘Land Acquisition & Expropriation Land’.¹⁴ In this zone of indistinction thus, it is the very law that creates the exception and the interplay between the possible and the impossible.

The fifth repertoire of exception, not only used by colonial states like Israel but also by any security state these days, pertains to the condition when society is

governed much less by law and order but more *though administration and management*. The discretionary power of a soldier in a military administration office in any area of the West Bank is absolute. He can order the destruction of a building without any juridical control from the Israeli system. Even an Israeli soldier at a checkpoint can stop a passenger from moving, from going to work without any possibility of recourse to any law. Since 9/11 the latter mechanism of governance is in ascendancy in many Western countries. The Patriot Act issued by the US Senate on 25 October 2001 already allowed the Attorney General to ‘take into custody’ for an unlimited period any alien that endangers the ‘national security of the United States’.

The last repertoire of the state of exception is when the law has a function of *interplay between exclusion and inclusion* because sovereignty does not work merely according to the logic of one-way exclusion. ‘Inside’ and ‘outside’ are not mutually exclusive but rather blurred together with each other. This is the problem of defining that concerns precisely a threshold, or a zone of indifference (Figures 4 and 5). (Agamben 1998, p. 23)

Palestinians are excluded from recourse to the law, but remain subject to it. Their lives are regulated and restricted by Israeli laws and military orders which apply even to the private spheres of marriage and children. Palestinian citizens of Israel can no longer marry their West Bank and Gaza kinfolk and compatriots since a recent High Court ruling legitimated a 2003 law barring ‘family reunification’ for such couples. The case of Palestinian Jerusalemites is the epitome of exclusion/inclusion: included by virtue of the unilateral Israeli annexation of their city and excluded from municipal services, master plans, and civil liberties big and small; they live in a segregated city in which they are residents, but not citizens.

The consequence of the state of exception goes beyond the spacio-cidal project. The political project of the Palestinian people is transformed into distinct population groups who become antagonists in the pursuit of their own interests vis-à-vis the conflict and its potential resolution: it is in the interest of the Palestinian residents of Jerusalem to stay outside the Palestinian national project (for accessibility to the Israeli labor market and the benefit from the social and health system), as Israel transforms the latter into a collection of Bantustans which cannot compete with Israel; the geographical fragmentation of the West Bank and Gaza create two (or more) distinct entities with different populations animated by their own stereotypes



Figures 4 and 5. Parameters of indistinction and the ‘inside’ and ‘outside’ of physical barriers. Wall cutting the suburb of Abu Dis from Jerusalem: resistance and transgression. (Photos by the author.)

and power struggles – to say nothing of the Palestinian citizens of Israel or Palestinian refugees in the diaspora.

This process became possible as the exercise of sovereign power (as an actuality but also as a potentiality) created not only zones of indistinction between ‘the inside’ and ‘outside’ (of the nation, town, or home), but penetrated the entire political/social field, transforming it into a dislocated bio-political space in which modern political categories (e.g. Islamist/nationalist, right/left, private/public, dictatorial/democratic) are entering into a post-political zone of dissolution (Agamben 1998, p. 4).

A democratic country could exhibit dictatorial behavior against certain categories of the population. Agamben made a strong case while noting that both the Italian Fascist and Nazi regimes operated without canceling their respective constitutions in a paradigm that has been defined as a ‘dual state’ whereby a further structure that was not legally formalized was added to the constitutional settings by virtue of a state of exception (Agamben 2005). All opposition should hence not be seen as ‘dichotomies’ but as tensional.

Blinded by the myth that Israel is the only democracy in the region, the international community’s inability to see Israel as a colonial state stems from the fact that its democratic practices for the ‘white majority’ (read: Jewish citizens) living in the State of Israel overshadow its dictatorial practices for the ‘black minority’ living in the state of exception: Palestinian citizens of Israel; Palestinian Jerusalemites; Palestinian residents of the different zones of the occupied territories; Palestinian refugees inside and outside the camps, inside and outside the country. The powerless international community, ‘by design’ silent (Feher 2000), encourages Israel to continue in this vein. During an invasion of a Palestinian town, the Israeli army declared it a military zone, prohibiting foreigners and journalists from accessing it. In the regime of exception, it is important to keep the exception invisible.

The logic of bio-power and exceptionalism does not affect only the colonized but also the colonizer itself: there is much differentiation between Jews. In the 1980s, the ‘impure’ blood of the Falash Jews (of Ethiopian origin) was designated as non-transmissible to other Jews; Mizrahis (Oriental Jews) were deprived of avenues to express their oriental culture, etc. Oren Yiftachel (2002; 2006) revealed these Israeli politics in what he called ethnocracy politics and the emergence of ethno-class stratification and polarization in a system of ‘creeping apartheid’. According to him, a systematically stratified citizenship has developed from the combination of:

Judaization policies and religious-legal control. Several types of citizenship have emerged, differentiated by the combination of legal and informal rights and capabilities. Each category, especially among religious groups, is also divided internally on gender lines, with men enjoying a superior position. The groups include: ‘mainstream’ Jewish citizens, ultra-Orthodox Jews, ‘pseudo-Jews’ (mainly Russian immigrants recognized as Jews under the Israeli law of return, but not recognized as such by the religious establishment), Druze, Palestinians holding Israeli citizenship, Bedouins, East Jerusalem and Golan Arabs, Palestinians in the rest of the West Bank and Gaza, and finally immigrant labor (Yiftachel 2002).

In addition, in the occupied territory, this juridical state is triggered especially in disaster areas like Nablus or in the refugee camps as a heterotopic space disconnected from the local environment. Suspension is the rule of the game. Israel and the United States have insisted, since the second year of the current Intifāḍah, on a ceasefire rather than an end to occupation; and negotiations have

been security-related rather than political. An exception was established by the colonial regime in the name of 'security', a 'plan against the terrorism', an 'emergency' and a 'humanitarian crisis'.

To sum up, Israel's spacio-cide is made possible through two mechanisms: bio-politics and the capacity of the sovereign to proclaim the state of exception. However, the colonized do not take these mechanisms lying down. They use violent and non-violent modes of resistance; encircling the settlers after being encircled by them, constructing home and society, creating visibility, mobilizing global movements. Palestinian 'voluntary transfer' has its Israeli counterpart: indicators show the Israeli population 'quitting' Israel too, as the year 2003 saw the least number of immigrants since 1975.

3. Resistance and subjectivation

This article has claimed that the Israeli spacio-cidal strategies are not simply derivative of the Israeli colonial project and cannot be explained simply as a response to security threats. The systematic destruction of Palestinian space should be related to, and understood in the context of the history of the Zionist enterprise. Within this context, spacio-cidal strategies should be apprehended as a continuum with the creation of the refugee problem in 1948 and its continuous disavowal by Israeli authority and public opinion, which have refused to recognize the underlying, structural role of the refugees in the Israeli–Palestinian conflict.

Having said that, I acknowledge some developments have occurred in Zionist thought, especially because of the Palestinian resistance movement. For the past few years, the majority of the Israelis are willing, as polls have showed, and in favor of getting out of the Palestinian territory but this has not been reflected in the Israeli settlement policies which have been gradually increasing. The disengagement from Gaza represented a partial dysfunction of the spacio-cide system. Under the pressure of the resistance, Israel evacuated Gaza in 2005, even if it will retain its status as an 'airborne-occupied' enclave; and at the same time, it is willing to trade that against a recognition of the Bantustan system in the West Bank.

What seems extraordinary here is that the peace process which was supposed to bring about a 'spacio-renaissance' is accompanied with different degrees of spacio-cide. Bio-politics renders possible the spacio-cide and spacio-cide creates *de-territorialized* bodies, for example Palestinians without a place in this territory or refugees literally without land. Spacio-cide leaves a body without space. This body, then, regains its subjectivity by blowing him- or herself up together with an enemy who is also biologically and ethnically classified (the concept of Jews as a biological category emerges strongly at the discursive level, guiding different modes of action especially since the beginning of the second Intifāḍah).

Spacio-cidal politics is a suicidal one. The uprooted body (bare life) it creates is a body 'ready to blow'. The deracinated body is a subject without relationship to territory; it is a body in orbit, a satellite. In the unipolar era of imperialism under the hegemony of the United States, the body becomes an uncontrollable and unsupervised object bound to exercise its revenge. Satellites are the objects 'in need' of control, but are difficult to control, and the result is 'ground zero(s)', be it the work of individual terrorists (World Trade Center), or state terrorism (Falujah or Jenin Refugee Camp; and, since the analysis of Derek Gregory (2004a), we know

Afghanistan, Iraq and Palestine are interconnected in American and the Muslim cognitive geography.

But violence is not the only form of resistance. To counter the Israeli spacio-cidal project, Palestinians transgress the regime of exception by constructing their habitat without permit, even at the risk of demolition. A survey of Palestinian diaspora investment in the occupied territories showed heavy investment in construction. To gain a foothold in Palestine, some Palestinians living abroad buy or build an apartment or house to be used for vacationing. Others build for the family still living in Palestine. The Palestinian Central Bureau of Statistics carried out an 'Existing Building Survey' and a study of 'Expenditure and Consumption Levels' estimating individual transfers from the diaspora to private construction in Palestine at approximately \$170 million in 1996 and almost \$200 million in 1997 (Hanafi 1998). For the Palestinian peasants the famous adage *'Ard qabl 'ard* ('Land is more important than family') highlights the importance of land for the survival of the family.

Another form of resistance is by using litigation as has happened for changing the proposed course of the separation wall, but it is an in-the-power process which cannot often be used for questioning the self-nature of colonial state power. While lawyering for the cause of the Arab minority in Israel was often fruitful, it is rare that the Palestinians of occupied territories obtain justice through such means.

Bio-politics and the regime of exception are reinforced, in the case of Israeli and Palestinian actors, by the chain of victimization. In a mirror of distorted perspectives and multiple projections, Israelis see themselves as *the* victims, an exceptionality that stems from the exceptionality of the Holocaust. The Palestinians also see themselves as the ultimate victims (the *last* colonized people with the *largest* refugee group in the *longest* unresolved political conflict) and they construct this exceptionality beginning with *al-Nakbah* (the 'Catastrophe'). In the same vein that Israeli 'spacio-cide' is informed by the Zionist myth of 'a land without people for a people without land', Palestinian refugees nurture a dream of a land without refugees for refugees without a land. The Palestinian refugees of the West Bank and Gaza, but also of the diaspora, have greater attachment to the *land* of Palestine than to the people of Palestine. In interviews, refugees often insist on talking about property, land, the Mediterranean Sea, al-Aqṣā Mosque, Birim Church, etc., and avoid the question of how they might live, and with whom. The author is not suggesting here the impossibility of the cooperation between Palestinian returnees and their Jewish neighbors but the necessity of thinking the return not only in term of geography but also in term of social relations.

Notes

1. Some parts of this study were published in: Sorkin, Michael, Ed., 2005. *Against the Wall: Israel's Barrier to Peace*. New York: The New Press. The author would like to thank all those who have enriched it with valuable comments, especially, Adi Ophir, Oren Yiftachel, Yehouda Shenhav, May Jayousi, Moustafa Bayoumi, Michael Sorkin, Abdullah Lux and Jad Ishaq.
2. Gilles Deleuze écrit: 'Israël n'a jamais caché son but, dès le début: faire le vide dans le territoire palestinien. Et bien mieux, faire comme si le territoire palestinien était vide, destiné depuis toujours aux sionistes. Il s'agissait bien de colonisation, mais pas au sens

- européen du XIXe siècle : on n'exploiterait pas les habitants, on les ferait partir.' (Deleuze 2002).
3. As of May 2007, the figures are 4,790 Palestinian dead and 29,222 injured and 999 Israeli dead and 7,844 injured. For Palestinian numbers see: Statistics of the Palestinian Central Bureau of Statistics in September 2007. Available from: http://www.pcbs.gov.ps/Portals/_pcbs/intifada/93b5ac0b-f061-455a-bd93-0337c0f63d43.htm, and for Israeli numbers see: <http://www.israelmfa.gov.il/MFA/Terrorism+Obstacle+to+Peace/Palestinian+terror+since+2000/Victims+of+Palestinian+Violence+and+Terrorism+sinc.htm>.
 4. Israel used what Amira Hass (2003) called weapons of light destruction which does not make a lot of noise like killing people, at least for the Western media.
 5. The invasion of this camp for most of April 2002 resulted in the damaging of 1,846 homes of which 680 were completely destroyed and 1,166 partially destroyed (UN Relief Works Agency Report, June 2002).
 6. However, uricide is not only related to the war, but also to the urban planning processes and capitalist speculation that can bring upon a city (Verhaert 2006).
 7. This is according to Palestinian Bureau Central of Statistics. Available from: http://www.pcbs.org/martyrs/dest_a.aspx. Often, the Israel Military Forces Spokesman's Office reports why a house was demolished: It was the family of an arrested terrorist, a wanted terrorist, a dead terrorist, the house was used to shoot at soldiers, the neighborhood sheltered armed men or tunnels, the house was built without a permit. But in many cases there are no explanations.
 8. There are 734 kilometers of roads within West Bank on which Palestinians are generally not permitted to travel. (See Arij 2005, photo 3).
 9. Source: Btselem, available from: http://www.btselem.org/english/Separation_Barrier/Statistics.asp. Data source: Israel's Central Bureau of Statistics, The Palestinian Authority Central Bureau of Statistics and Office for the Coordination of Human Affairs. All data on population updated to the end of 2005.
 10. Source: Arij (2005). See photo 2. This situation is not to be changed even in the disengagement plan.
 11. Source: Department of Negotiation Affairs of the Palestinian Liberation Organization.
 12. For more about the role of Israeli anthropologists in categorizing people, see the thesis of Cedric Parizot (2001).
 13. The author interviewed many actors related to the urbanism in Hebron, Nablus, Jerusalem and Ramallah, as well as some people who have experienced problems with construction permits.
 14. The text is: 'According to my jurisdiction and in accordance to item 2 regarding Land Law (acquisition for public purposes) (Judea & Samaria) (#321) 5729-1969 and according to article 4 (1) of Land Law (acquisition for public purposes) #2 of 1953 (as stated), and as I am convinced that the land acquisition (road) is for public interest and it is within the inquisitor ability to withstand all expenditures needed to compensate land and property owners and since there are grounds for immediate expropriation – I hereby decide acquisition on the stated below lands and property according to item 4 (1) (B) of the acquisition law and to expropriate immediately the same listing according to item 12 (1) of acquisition law' (see: Arij 2005).

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